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Plaintiffs' letter-motion seeking to file under seal (i) Plaintiffs' Opposition to Defendant's Motion to Exclude the Expert Testimony of Daniel F. Spulber, (ii) accompanying exhibits 1–3 under seal, and (iii) exhibit 8 of Plaintiffs' reply letter-motion (ECF No. 205) is GRANTED, and the documents at ECF Nos. 206-4, 208, 209, and 209-1 – 209-3 shall remain visible only to the selected parties.

The Clerk of Court is respectfully directed to (i) designate the documents at ECF Nos. 206 – 206-3 as viewable to the public, and (ii) close ECF No. 205.

SO ORDERED 03/01/23


SARAH L. CAVE
United States Magistrate Judge

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Hon. Sarah L. Cave
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Bernstein v. Cengage Learning, Inc.*, Case No. 1:19-cv-07541-ALC-SLC

Dear Judge Cave:

We write on behalf of Plaintiffs Douglas Bernstein, Edward Roy, Louis Penner, and Ross Parke, as personal representative of the Estate of Alison Clarke-Stewart (“Plaintiffs”). Pursuant to the terms of the Stipulated Protective Order (Dkt. 49, ¶ 10) and your Honor’s Individual Practice I.G.2., we respectfully seek leave to file under seal: 1) Plaintiffs’ Opposition to Defendant’s Motion to Exclude the Expert Testimony of Daniel F. Spulber and exhibits thereto, and 2) Exhibit 8 accompanying Plaintiffs’ reply letter motion seeking to strike class certification declarations. Plaintiffs’ Opposition and the exhibits reference or contain information that the Court has previously sealed (*see* Dkt. Nos. 176, 187, 199, & 200) and/or that Cengage has designated as “Confidential” or “Attorney’s Eyes Only.” Plaintiffs will file unredacted versions via ECF using the “Selected Parties” viewing level. Plaintiffs take no position as to whether redactions or sealing are appropriate.

Respectfully submitted,



Alexander W. Aiken

Cc: All counsel or record